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November 1, 2021

Honorable Gregory H. Woods  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2260  
New York, New York 10007

**Re: *Doe v. New York University*, 1:20-cv-01343-GHW**

Dear Judge Woods:

Plaintiff John Doe and Defendant New York University (“NYU”) jointly write to request an extension of the current discovery deadlines in this matter. At this time, the following discovery deadlines are in place:

- Fact Discovery – December 31, 2021
- Case-In-Chief Expert Disclosures – December 31, 2021
- Rebuttal Expert Disclosures – January 14, 2022
- Expert Discovery – February 15, 2022
- Motions for Summary Judgment to Be Filed By – March 17, 2022

The parties propose the following new discovery deadlines:

- Fact Discovery – March 1, 2022
- Case-In-Chief Expert Disclosures – March 1, 2022
- Rebuttal Expert Disclosures – April 1, 2022
- Expert Discovery – May 2, 2022
- Motions for Summary Judgment to Be Filed By – June 1, 2022

The parties have endeavored to engage in document discovery quickly and efficiently. However, for several reasons, the parties will be unable to complete fact discovery by the current court-ordered deadline of December 31, 2021.

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First, NYU's production of documents was delayed as a result of FERPA-related objections raised by two non-party students pursuant to this Court's FERPA order dated September 9, 2021. Each student (one of whom was the complainant in the underlying Title IX matter) indicated that they intended to file for a protective order, thereby necessitating that NYU delay the production of their education records until the students had a reasonable time to review the documents and make an appropriate motion. Because of the number of responsive documents that relate to the complainant, this process took several weeks and implicated thousands of documents, even though neither student chose to file for a protective order.

Second, despite the foregoing, the parties have been able to substantially complete their document productions without the need for Court intervention. However, the volume of document discovery that has been exchanged in this matter, currently in excess of 80,000 pages and increasing, was unforeseen by either party prior to their most recent supplemental productions. The review by each party of complete productions of its/his adversary is a significant undertaking that will need be completed before depositions can be conducted. These reviews are underway, and the parties are making all diligent efforts to complete their respective reviews as soon as possible.

Third, the parties have each identified several witnesses whose depositions they will be seeking and will promptly schedule these depositions upon the completion of the exchange of document discovery and review of the documents produced. NYU has requested the depositions of Plaintiff and Plaintiff's parents, who are each named in the Complaint. Plaintiff does not object to these depositions. However, Plaintiff's parents will be travelling internationally to attend to the medical needs of a sick relative during November 2021. The parties anticipate being able to begin depositions in December 2021. However, given the holiday period and NYU's academic calendar, it is likely that additional depositions will need to take place in early 2022.

In addition, the parties' request includes four weeks for NYU to complete its rebuttal expert reports. The reason for this request is that NYU's medical rebuttal expert will require this time to both review the expert report of Plaintiff's medical expert and conduct an independent medical examination before NYU's expert can begin preparing his rebuttal report. In the experience of NYU's expert, two weeks is insufficient to complete this work.

This is the first request for an extension of time of the discovery deadlines in this matter. A proposed Revised Civil Case Management Plan and Scheduling Order is enclosed.

Your Honor's attention to this matter is greatly appreciated.

[SIGNATURES ON FOLLOWING PAGE]

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Respectfully submitted,

/s/ Kimberly C. Lau

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/Enclosure